

Termination of Parental Rights and Education Level of Parents:

A Statistical Correlation

Michael S. Pierce

Western Kentucky University

May 2, 2005

Abstract

Termination of parental rights is an extreme step in finding permanency for children. It is not one that is taken lightly. The Adoption Safe Families Act (ASFA) of 1997 mandated that states obtain permanency for children in foster care after they had been in state's custody 15 out of 22 months. By implementing this legislation child protective services workers have had to thoroughly assess cases that meet the criteria for ASFA and then determine whether or not to file a petition for termination of parental rights. After much consideration a trend seemed to be developing with cases that termination of parental rights was sought. It appeared several of the cases had one thing in common, the parent's level of education completed. It appeared that a high number of parents whose parental rights were terminated did not have a high school education. This study looks at the correlation between a person's level of education and the likelihood that their parental rights will be terminated if their child enters foster care. The sample size for this research project was small and taken from the caseload of only one child protective services worker. Future studies should take a broader approach at sampling size to make a better estimate at whether a person's level of education has any effect on whether their parental rights are terminated when their child enters foster care.

Termination of Parental Rights and Education Level of Parents:

A Statistical Correlation

Introduction

Problem statement

The implementation of ASFA (Adoptions Safe Family Act of 1997) has created a nightmare for the judicial and social services system in the United States. Less time is being given to reunite children with their birth families and more pressure is being placed on the legal and social services community to find permanency for children in a timely manner. The U.S Department of Health and Human Services website states that ASFA mandates “in the case of a child who has been in foster care under the responsibility of the State for 15 of the most recent 22 months” that termination of parental rights proceed. When looking at all the factors that go in to terminating a parents rights, the social worker must look at the well-being and safety of the child and assist in helping the child establish a safe, permanent home.

Some of the criteria used by social workers to determine if a child can be successfully reunited or whether termination of parental rights needs to begin include: willingness and ability of the parents to provide for the child’s safety, compliance with court orders, progress made by the parent with regards to treatment planning by the social service agency and the child’s length of stay in foster care and number of repeat entries into foster care. These issues are often exasperated by the parent’s drug/alcohol usage, domestic violence incidences and the parent’s inability to complete treatment planning goals and objectives. One factor that has been neglected by research and studies is the parent’s level of education or how far in school they went. As a practicing social services

worker, this researcher has seen a common thread among parents whose rights have been terminated.

This proposed research project would focus on the level of education attained by parents whose rights have been terminated in a random selection of cases. There is little empirical evidence in literature reviews that suggest a correlation between lack of education and the probability that a parent's rights will be terminated. This research project would focus on any links between the two (if they exist) and what correlation it plays with parents whose parental rights are not terminated.

After researching this topic for a literature review this researcher was unable to locate any literature that correlates lack of education with termination of parental rights. There is an abundance of empirical data in the literature that was found that ties substance abuse, domestic violence and mental illness/retardation to termination of parental rights. The articles reviewed provided very little data that suggested that a person's level of education and the possibility that their parental rights will be terminated. The articles reviewed focused more on treatment modality, effectiveness of substance abuse treatment and parenting competency.

The methodology utilized in the literature that was reviewed varied. Use of data from public social service agencies and existing literature was the most commonly utilized methodology but was not the only one. In one article actual testing of parents for diverse factors (stress, conflict management, etc...) was utilized. A third article utilized surveys of professionals as varied as judges, social service workers and counselors. They developed a survey instrument and utilized focus groups to get feedback to determine any common denominators among the varied professional groups that might identify possible

indicators for termination of parental rights.

The findings in these articles were varied and diverse. In Dawson and Berry, the article found that caseworker qualities, behaviors and educational level were a determinant in the success of families whose children were in out of home care and faced possible termination of parental rights. (2002) The article found that caseworkers' behaviors were more influential on a client. Giving specific requests, seeking commitments from clients, providing the client with training in tasks, positive reinforcement in successful completion of tasks and client participation in selection and design of tasks were among the recommendations made that led to success of clients. Dawson and Berry noted that "these behaviors exemplify the qualities of empathy, trust, and respect".

In the article written by Azar, Lauretti and Loding they begin by stating that the "discussion begins with limitations of current theories for framing the question of what constitutes competent parenting for legal purposes." (1998) This article also stated that "parents considered for TPR typically are poorly educated." It continues to state that "neglectful parents are the largest group considered for TPR." The article states "Of most relevance for evaluations have been behavioral attempts to outline cognitive and behavioral disturbances that may lead parents to respond maladaptively toward children." This article focused more on how to measure the competency of parents to determine if termination of parental rights is in the best interest of the child.

The last reviewed article focused on the difference between professionals and how they view reunification and termination indicators. This article focused mainly on the influence of alcohol and other drug related problems on the decision of whether or not

to reunify or terminate. Karoll and Poertner examined how different professionals (judges, caseworkers and counselors) rate the importance of different indicators and how it effects their judgment on reunification/termination decision. This article identified six areas of functioning: motivation, recovery, competency and reliability, social support, parenting and legal that effect the success of persons recovering from substance abuse issues and whose children are in foster care. (2003) It sought to identify the differences between professionals and how they view the person who is recovering as either progressing or digressing in having custody of the children returned to them. The differences within the professionals groups were present but not unexpected. The professionals agreed on the importance of 15 of the 19 areas of functioning regarding recovery and reunification.

The pertinent factors not considered by any of the studies were the level of education of the parents whose rights were being terminated. While factors such as domestic violence, substance abuse and mental illness/retardation are definitely mitigating factors in the decision to seek termination of parental rights they are not the only ones. These studies have limited themselves to narrow topics and even though this is helpful in dealing with the individual factors it does not take in to account other factors or variables that might play a role in making the determination to seek termination of parental rights. The level of education a parent has will directly effect how they deal with developing treatment plans to have their children returned and how easily they are to comprehend abstract ideas. Many of the parents whose educational level is limited do not have the ability to think abstractly or grasp concepts such as nurturing, development or using varying approaches to discipline.

These studies are a great benefit to the social service practitioner but stop short of providing alternative explanations that might effect the decision to seek termination of parental rights. More studies are needed to assist the practitioner in understanding how the lack of education of a parent prevents them from being able to successfully participate in planning and eventually keeping their children in their home and safe from further acts of abuse or neglect.

Research Question

The specific research question addressed in this study was:
Is there a greater risk of Termination of Parental Rights for persons who do not have a high school education (diploma)?

Hypothesis

The hypothesis of this researcher was:
There is a greater chance that Termination of Parental Rights will be achieved for persons who do not have a high school education (diploma).

Method

Research Design

The research design utilized in this study was a case review of 20 cases from the Warren County Protection and Permanency file archives and current cases. The focus of review was to determine whether or not the educational level of a parent with a child in foster care had any bearing on whether or not their parental rights were terminated. The variable identified by this researcher as the dependent variable was whether or not the

case resulted in TPR and the variable identified as the independent variable was the education level of the parents.

Instrumentation

The researcher used a table developed by Cabinet for Health and Family Services Internal Review Board employee, Bob Blackburn. Mr. Blackburn submitted to this researcher a two page table with 1 major heading and 3 subheadings. On the first page of the research tool the major heading read “TPR” and the subheadings read “Case Number,” “Mother educational level” and “Father educational level”. On the second page the major heading was “NON-TPR” and the subheadings were the same as the first page.

Sampling Method

A random selection of cases was utilized by this researcher to determine which cases would be reviewed. This researcher used only cases that were previously known to the researcher. The researcher obtained a case listing history of all cases that had been on this researcher’s ongoing case load. The cases were identified as cases where children had been removed from the home and placed in foster care (this researcher did not include cases in which the child was placed in the custody of a relative – Kinship Care). The cases were then divided in to 2 categories: 1) termination of parental rights was granted, and 2) children were returned to parent. All case names were then typed on to a sheet of paper, separated by cutting, folded and put in the appropriate category. 10 cases were randomly selected from each of the 2 categories by a fellow student/co-worker and given to this researcher. The student/co-worker did not view the names but

handed them to the researcher. The researcher then developed a master list and assigned a number (1-10) to each case in each category.

Study Sites

All cases were reviewed at the Warren County Protection and Permanency office at 1010-1020 State Street, Bowling Green, KY. All cases were reviewed confidentially and were returned to their original location after being reviewed.

Participant Recruitment and Informed Consent

Due to the nature of the research project there was no recruitment involved in this study. All cases were reviewed confidentially by this researcher and returned to their original location. No identifying personal data was used in research, which therefore, negated a need for informed consent.

Data Collection

After the participants were selected, the researcher reviewed their corresponding case files for the pertinent information. The researcher looked for information pertaining to the person's level of high school education. This was achieved in one of 4 ways: 1) Review presentation summaries for TPR cases, 2) Review Continuous Quality Assessments (CQA) for non-TPR cases, 3) interview former workers, and 4) personal recollection.

For the TPR cases the researcher reviewed the presentation summary for the child. After the Cabinet terminates rights on a parent, a presentation summary is completed on the child. This summary contains various information such as biological family health history, history of employment, criminal history and educational history. Information in 6 of the 10 TPR cases contained information about the parent's

educational level was present. The researcher then reviewed case files for CQA's to find the needed information and found none. The researcher interviewed former case workers to obtain information. And lastly the researcher used personal recollection and obtained no information on the parent's educational history.

For non-TPR cases the researcher was only able to utilize CQA's, interviewing of former workers and personal recollection to obtain the needed information. Through the combined 3 techniques the researcher was able to obtain the needed information on 9 of the 10 cases.

In 15 of the 20 selected cases the researcher was able to obtain the needed information on the parent's involved. In the cases where the researcher was able to determine the parent's educational level, the parent's were assigned either "non-graduate" or "graduate" to correspond with their educational level (this applied only to high school graduation). In the cases where the parent's educational level was unable to be determined they were assigned "N/A". Each case had been assigned a number to correspond with the case names, after the data was collected and analyzed the master list with the case names was shredded. At this point the cases were referred to only by the assigned number.

Statistical Analysis

The raw data that was collected was transformed into a code book. The information in the code book included gender, educational level and TPR. The parent's gender identified whether they were mothers or fathers. The educational level identified if they were a high school graduate, not a high school graduate or unable to determine.

The TPR status identified whether or not they had their parental rights terminated or whether the child was returned home.

All data was nominal level data and was not able to be analyzed statistically for significance. The data from the code book was entered in to the Statistical Package for Social Sciences file (SPSS). The entered data was then compiled for the researcher to analyze for any trends that could be determined.

Results

Sample Demographics

Due to the incidences of multiple fathers the demographic profile for the study consisted of 23 male participants and 20 female participants ($n=43$) for the 20 randomly selected cases. (See figure 1.1)

Figure 1.1 Gender of participants

Valid	Frequency	Percent	Valid Percent	Cumulative %
Mother	20	46.5	46.5	46.5
Father	23	53.5	53.5	100.0
Total	43	100.0	100.0	

The level for termination of parental rights consisted of 23 participants having their parental rights terminated and 20 participants who did not have their parental rights terminated. (See figure 1.2)

Figure 1.2 Level of termination of parental rights

Valid	Frequency	Percent	Valid Percent	Cumulative %
Yes	23	53.5	53.5	53.5
No	20	46.5	46.5	100.0
Total	43	100.0	100.0	

The educational level concluded that 13 participants were high school graduates, 14 were not high school graduates and 16 were unable to determine. (See figure 1.3)

Figure 1.3 Level of education

Valid	Frequency	Percent	Valid Percent	Cumulative %
High School graduate	13	30.2	30.2	30.2
Not High School graduate	14	32.6	32.6	62.8
Unable to determine	16	37.2	37.2	100.0
Total	43	100.0	100.0	

The researcher did not collect data to correspond with the parent's age, race, religious preference, etc...

In review of Appendix A the graph illustrates the percentage of those parent's whose parental rights were terminated who are a high school graduate, are not a high school graduate and unable to determine. It also illustrates among those parent's whose parental rights were not terminated who are high school graduates, are not high school graduates and unable to determine.

In review of Appendix B the graph will illustrate the count of the number of parents who are high school graduates and had their parental rights terminated versus not terminated, non-high school graduates whose parental rights were terminated versus not terminated and unable to determine level of education whose parental rights were terminated versus not terminated.

Discussion

Methodological Limitations

The primary purpose of this research study was to determine if there is a link between a parent's educational level and their propensity to have their parental rights terminated when their child enters foster care. There is limited research concerning this issue and this particular study was somewhat handicapped because of it. The area of termination of parental rights and educational level has been woefully understudied in recent history. As a researcher/practitioner literature concerning this area would be a positive first step in addressing the issue.

Due to the design of the study the researcher was unable to run any data that could determine any significant statistical correlation between the two variables. There does appear to be some data that points to the likelihood that a parent's lack of education does impair their ability to have their child returned to their home after the child has been placed in foster care. As a protective services worker this researcher has had the unenviable task of terminating parental rights on several families. In reviewing the data for the research this researcher was reminded of another thread that similarly ran through many of the TPR cases that were reviewed for this study. The thread was that the majority of these cases were neglect cases and not physical/sexual abuse. When considering the link between neglect and lack of education it stands to reason that parent's who do not have a high school education would have difficulty in meeting their children's needs and not being neglectful.

The percentage of the parent's whose parental rights were terminated and were not high school graduates was nearly inverse to the parent's whose children were

returned to their custody and do are high school graduates. The percentage (see Appendix A) shows nearly the same percentage of high school graduates whose children were returned to their custody and non-high school graduates whose parental rights were terminated. It also shows that the percentage of parents are high school graduates whose parental rights were terminated were similarly the same as those parents who are not high school graduates and their children were returned to them. Without the ability to run any tests that could further conclude any statistical significance between the two variables, there is no way to safely say that there is a significant difference.

Another significant limitation would be that the sample size is small ($n=43$) and that the entirety of the sample was taken from the caseload of one protective services worker. There could be some bias by said worker when it comes to determining if a child can be safely returned to their home or that they be placed for adoption. A broader study including many different cases in many different areas might lead to more data that might be able to significantly determine whether the two variables are correlated. The reader might also infer that the system (Protective Services and Family Court) might be biased against parents who do not have a high school education.

Conclusion

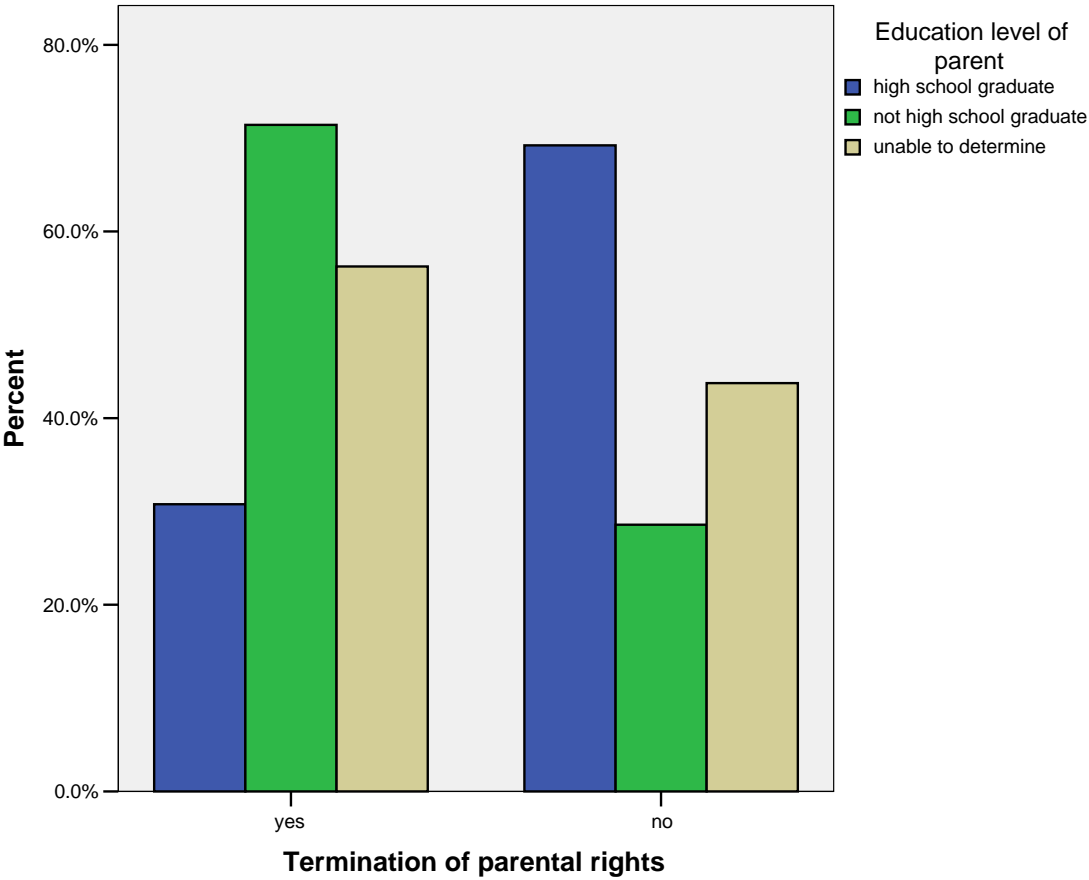
This study is a step in the right direction. There is very limited literature out there that sheds any light on whether or not these two variables are correlated. Future researchers in this area might want to use a larger, more geographically diverse sample size. Future researchers in this area may also want to synthesize the research question to not ask “if” lack of education effects termination of parental rights but “when” does it effect termination of parental rights. Does the correlation begin when the parent drops

out of school in 9th, 10th, 11th or 12th grade? Does it occur sooner? Does it occur later (post-high school)? Does it occur at all? Using nominal level data gets the researcher thinking in the right direction but does not provide significant enough data to determine if there is a significant correlation between the 2 variables.

References

- Azar, S.T., Lauretti, A.F, & Loding, B.V. (1998). The evaluation of parental fitness in termination of parental rights cases: A functional-contextual perspective. *Clinical Child and Family Psychology Review*, 1, (pp.77-100).
- Dawson, K. & Berry, M. (2002). Engaging families in child welfare services: An evidence-based approach to best practice. *Child Welfare*, 81, (pp. 293-317).
- Karoll, B.R. & Poertner, J. (2003). Indicators for safe family reunification: How professionals differ. *Journal of Sociology and Social Welfare*, 30, (pp.139-160).
- U.S. Department of Health and Human Services. (1997). *Title I - Reasonable efforts and safety requirements for foster care and adoption placements*. Retrieved February 11, 2005 from http://www.acf.hhs.gov/programs/cb/lasw/public_law/pl1105_89a1.htm

Appendix A



Appendix B

